



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

July 20, 2017

System No. 0310004

Mr. Jeff Gardner, City Manager
City of Plymouth
P.O. Box 429
Plymouth, CA 95669

TRANSMITTAL OF CITATION NO. 01_10_17C_014 FOR FAILURE TO COLLECT ROUTINE BACTERIOLOGICAL SAMPLES (JUNE 2017)

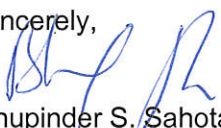
Dear Mr. Gardner,

The City of Plymouth (hereinafter "City") Water System (System No. 0310004) failed to collect both routine bacteriological samples during the month of June 2017, as specified in Chapter 15, Title 22, California Code of Regulations. The State Water Resources Control Board, Division of Drinking Water has issued Citation No. 01_10_17C_014, in response to this violation. The Citation is being transmitted to the City under cover of this letter.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code section 116625) or Article 9 (commencing with Health and Safety Code section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Brian Kidwell by email at Brian.Kidwell@waterboards.ca.gov, or by phone at (209) 948-3963.

Sincerely,


Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments: Citation No. 01_10_17C_014

Certified Mail No. 7004 2890 0002 0057 9911

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

1 **STATE OF CALIFORNIA**
2 **WATER RESOURCES CONTROL BOARD**
3 **DIVISION OF DRINKING WATER**
4

5 **TO:** City of Plymouth
6 P.O. Box 429
7 Plymouth, CA 95669
8

9 **Attn:** Mr. Jeff Gardner, City Manager
10 City of Plymouth
11

12 **CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,**
13 **TITLE 22, SECTION 64423(a)(1)**
14 **WATER SYSTEM NO. 0310004**
15 **C I T A T I O N N O . 0 1 _ 1 0 _ 1 7 C _ 0 1 4**
16 **Issued on July 20, 2017**
17

18 Section 116650 of the California Health and Safety Code authorizes the issuance of
19 a citation to a public water system for violation of the California Safe Drinking Water
20 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with
21 Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit
22 or order issued or adopted thereunder.
23

24 The State Water Resources Control Board (hereinafter "Board"), acting by and
25 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
26 for the Division (hereinafter "Deputy Director"), hereby issues a citation to the City of

1 Plymouth (hereinafter, "City") (P.O. Box 429 Plymouth, CA 95669) for violation of
2 California Code of Regulations (CCR), Title 22, Section 64423 subsection (a)(1).

3
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6
7 (a) If the Division determines that a public water system is in violation of this chapter
8 or any regulation, permit, standard, citation, or order issued or adopted thereunder,
9 the Division may issue a citation to the public water system. The citation shall be
10 served upon the public water system personally or by certified mail. Service shall be
11 deemed effective as of the date of personal service or the date of receipt of the
12 certified mail. If a person to whom a citation is directed refuses to accept delivery of
13 the certified mail, the date of service shall be deemed to be the date of mailing.

14
15 (b) Each citation shall be in writing and shall describe the nature of the violation or
16 violations, including a reference to the statutory provision, standard, order, citation,
17 permit, or regulation alleged to have been violated.

18
19 (c) A citation may specify a date for elimination or correction of the condition
20 constituting the violation.

21
22 (d) A citation may include the assessment of a penalty as specified in subdivision (e).

23
24 (e) The Division may assess a penalty in an amount not to exceed one thousand
25 dollars (\$1,000) per day for each day that a violation occurred, and for each day that a
26 violation continues to occur. A separate penalty may be assessed for each violation.



1 California Code of Regulations, Title 22, Section 64423, subsection (a)(1)
2 provides, in relevant part:
3

4 (a) Each water supplier shall collect routine bacteriological water samples as follows:

5 (1) The minimum number of samples for community water systems shall be
6 based on the known population served or the total number of service
7 connections, whichever results in the greater number of samples, as shown in
8 Table 64423-A.

9 **Table 64423-A**
10 **Minimum Number of Routine Total Coliform Samples**

Monthly Population Served	Service Connections	Minimum Number of Samples
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week

11
12 **STATEMENT OF FACTS**

13 The City water system is operated under Water Supply Permit No. 03-10-95P-007,
14 which was issued on December 12, 1995.

15
16 The City water system is publically owned and operated. The City is located in
17 Amador County, on California Highway 49, just south of Placerville. The service area
18 is approximately one square mile in size. The water system is classified as a
19 community water system that serves primarily residential customers living within the

1 City's service area. The water system serves approximately 1,060 people through
2 480 service connections.

3
4 Purchased treated surface water is obtained from the Amador Water Agency's Tanner
5 Plant. The purchased treated water is re-chlorinated and stored in a 500,000-gallon
6 water storage tank. The distribution system is maintained as two pressure zones and
7 is gravity fed from the storage tank. Pressure reducing valves are located throughout
8 the water system.

9
10 According to Table 64423-A of the California Code of Regulations and the City's
11 approved Bacteriological Sample Siting Plan, dated May 2016, two routine samples
12 are to be collected and analyzed for total coliform bacteria on a monthly basis. On
13 July 13, 2017, the Division was notified, via a phone call from Andrea Hinton, from the
14 Amador Water Agency, that only one of the required routine bacteriological samples
15 was collected during June 2017.

16 17 DETERMINATION

18 The Division has determined that the City failed to comply with the requirements of
19 Section 64423(a)(1) due to the fact that the City failed to collect the required routine
20 bacteriological samples for the month of June 2017.

21 22 DIRECTIVES

23 The City is hereby directed to take the following actions:

- 24
25 1. The City shall collect six (6) routine bacteriological samples during July 2017.
26 These results shall be reported to the Division by August 10, 2017.



1 2. By August 10, 2017, the City shall submit a plan which includes details to
2 ensure the water system does not miss future routine bacteriological
3 monitoring. The plan should also include the time of the month the routine
4 bacteriological samples will be taken. It should be noted that choosing a
5 sampling date in the beginning of the month may reduce the risk of missing
6 monthly bacteriological monitoring. If samples are missed at the beginning of
7 the month, the City would have ample time to collect the required sample later
8 the same month.

9
10 The above mentioned plan shall also include details about improving the
11 communication between the City and the Division. In the future, if required
12 bacteriological samples are missed, the City should contact the Division in a
13 timely manner.

14
15 3. Notify the consumers served by the City of the missed routine bacteriological
16 sample in conformance with Section 64463.4, Title 22, CCR. The notification
17 shall be provided in accordance with the following:

18
19 a. Provide written notice of the missed routine bacteriological sample to all
20 residents, via hand delivery or mail, and post notification in public places
21 served by the water system. The notification shall be hand delivered or
22 mailed and posted in public places no later than August 10, 2017. The
23 posted notice shall remain posted for at least 7 days.

24
25 b. A sample notification form that can be used to satisfy the notification
26 requirement is attached to this Citation. Within ten (10) days of
27 supplying the written notification and posting of the written notification,



1 the City shall submit to the Division a copy of the notification, including
2 certification of its delivery.

3
4 The Division reserves the right to make such modifications to this Citation as it may
5 deem necessary to protect public health and safety. Such modifications may be
6 issued as amendments to this Citation, and shall be deemed effective upon issuance.

7
8 Nothing in this Citation relieves the City of its obligation to meet the requirements of
9 the California Safe Drinking Water Act, or of any regulation, permit, standard, or order
10 issued or adopted thereunder.

11
12 All submittals required by this Citation shall be submitted to the Division, via electronic
13 delivery, at the following address:

14
15 Brian.Kidwell@waterboards.ca.gov
16

17 **PARTIES BOUND**

18 This Citation shall apply to and be binding upon the City, its officers, directors,
19 shareholders, agents, employees, contractors, successors, and assignees.

20
21 **SEVERABILITY**

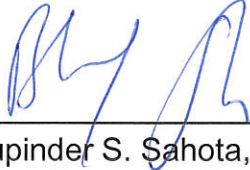
22 The Directives of this Citation are severable, and the City shall comply with each and
23 every provision thereof, notwithstanding the effectiveness of any other provision.

24
25 **FURTHER ENFORCEMENT ACTION**

26 The California SDWA authorizes the Board to: issue citation with assessment of
27 administrative penalties to a public water system for violation or continued violation of

1 the requirements of the California SDWA or any permit, regulation, permit or order
2 issued or adopted thereunder including, but not limited to, failure to correct a violation
3 identified in a citation or compliance order. The California SDWA also authorizes the
4 Board to take action to suspend or revoke a permit that has been issued to a public
5 water system if the system has violated applicable law or regulations or has failed to
6 comply with an order of the Board; and to petition the superior court to take various
7 enforcement measures against a public water system that has failed to comply with
8 violates an order of the Board. The Board does not waive any further enforcement
9 action by issuance of this citation.

10
11
12 7-20-17
13 Date


14 Bhupinder S. Sahota, P.E.,
15 District Engineer, Stockton District
16 Division of Drinking Water
17 State Water Resources Control Board

18
19
20 Attachments:

- 21 1. Public Notification
22 2. Proof of Notification Form
23
24

25 Certified Mail No. 7004 2890 0002 0057 9911
26
27
28



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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Monitoring Requirements Not Met for [System]

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period dates], we [did not monitor or test] or [did not complete all monitoring or testing] for [contaminant(s)] and therefore, cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required Sampling Frequency	Number of Samples Taken	When All Samples Should Have Been Taken	When Samples Were or Will Be Taken
	[number] sample every [number][time interval]			

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

State Water System ID#: _____. Date distributed: _____.

Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. _____

Consumers Notified _____ Yes _____ No

If not, Explain: _____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Department approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated: _____

Signature of Person Serving Notice

****Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Department within 10 days of giving public notice.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars (\$25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.